

19353. Adulteration and misbranding of enriched flour. U. S. v. Blair Milling Co. Plea of nolo contendere. Fine of \$200 and costs. (F. D. C. No. 32723. Sample Nos. 4653-L, 11912-L.)

INFORMATION FILED: August 7, 1952, District of Kansas, against the Blair Milling Co., a corporation, Atchison, Kans.

ALLEGED SHIPMENT: On or about December 4 and 12, 1951, from the State of Kansas into the States of West Virginia and Ohio.

LABEL, IN PART: "Enriched * * * Moon Rose * * * Flour Bleached Hubbard Grocery Co. Distributors Charleston, W. Va." and "Enriched * * * Eavey's Cream Velvet oven-proved Red Turkey Wheat Flour The Eavey Company Richmond, Ind. Xenia, Ohio. Distributors."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamin B₁, riboflavin, niacin, and (Moon Rose brand only) iron, had been in part omitted from the product.

Misbranding, Section 403 (a), certain statements on the labels, which represented and suggested that 8 ounces of the flour contained not less than 100 percent of the minimum daily requirements of the body for vitamin B₁, not less than 30 percent of the minimum daily requirements of the body for riboflavin, and not less than 8 milligrams of niacin, and (Moon Rose brand only) not less than 65 percent of the minimum daily requirements of the body for iron, were false and misleading since the flour contained less than the stated proportions of the minimum daily requirements of the body for the stated substances, and 8 ounces of the flour contained less than 8 milligrams of niacin.

Further misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for enriched flour since it contained per pound less than 2.0 milligrams of thiamine, less than 1.2 milligrams of riboflavin, less than 16.0 milligrams of niacin, and (Moon Rose brand only) less than 13.0 milligrams of iron.

DISPOSITION: October 9, 1952. A plea of nolo contendere having been entered, the court fined the defendant \$200, together with costs.

MISCELLANEOUS CEREALS*

19354. Adulteration of rice. U. S. v. 726 Bags, etc. (F. D. C. No. 30760. Sample Nos. 1811-L to 1813-L, incl.)

LABEL FILED: March 6, 1951, Eastern District of South Carolina.

ALLEGED SHIPMENT: Between the approximate dates of December 5, 1950, and January 23, 1951, from Stuttgart, Ark.

PRODUCT: Rice. 1,845 25-pound bags and 166 100-pound bags at Charleston, S. C., in the possession of Piggly Wiggly Wholesaler.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent urine and rodent pellets; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 27 and May 22, 1951. J. T. Newton, Jr., trading as Piggly Wiggly Wholesaler, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be

*See also No. 19352.

released under bond for segregating and denaturing for use as animal feed, or destruction of the unfit portion, under the supervision of the Food and Drug Administration. 63,300 pounds of the product were seized, and 14,850 pounds were released. The remaining 48,450 pounds were denatured for use as animal feed.

19355. Adulteration of wheat. U. S. v. 114,600 Pounds * * *. (F. D. C. No. 33441. Sample No. 48672-L.)

LABEL FILED: July 1, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about June 2, 1952, by the Farmers Union Grain Co., from Opheim, Mont.

PRODUCT: 114,600 pounds of wheat at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, a mercurial compound, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and can be avoided by good manufacturing practice.

DISPOSITION: July 18, 1952. The Farmers Union Grain Terminal Association, St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reprocessing by scouring, under the supervision of the Food and Drug Administration. 109,320 pounds of cleaned grain were recovered, and 5,430 pounds of scourings and waste material were destroyed.

19356. Adulteration of wheat. U. S. v. 121,800 Pounds * * *. (F. D. C. No. 33425. Sample No. 49005-L.)

LABEL FILED: June 26, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about May 27, 1952, by the Grenora Farmers Elevator Co., from Grenora, N. Dak.

PRODUCT: 121,800 pounds of wheat at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, a mercurial compound, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and can be avoided by good manufacturing practice.

DISPOSITION: July 18, 1952. The Farmers Union Grain Terminal Association, St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that it be reprocessed by scouring, under the supervision of a representative of the Federal Security Administrator. The product was reprocessed, and 1,710 pounds of scourings and broken kernels were eliminated and destroyed and 121,300 pounds were salvaged. (123,010 pounds had been seized.)

19357. Adulteration of wheat. U. S. v. 114,000 Pounds * * *. (F. D. C. No. 33419. Sample No. 49004-L.)

LABEL FILED: June 24, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about May 29, 1952, by the Farmers Grain Exchange, from Havre, Mont.

PRODUCT: 114,000 pounds of wheat at Minneapolis, Minn.